

Exhibit 1

Generated on: This page was generated by TSDR on 2020-12-03 16:43:47 EST

Mark: ENBY

US Serial Number: 88282201 Application Filing Date: Jan. 30, 2019 Filed as TEAS RF: Yes Currently TEAS RF: Yes

Register: Principal Mark Type: Trademark

TM5 Common Status Descriptor: DEAD/APPLICATION/Refused/Dismissed or Invalidated This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.

Status: Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark

Document Retrieval link at the top of this page. Status Date: Dec. 30, 2019

Date Abandoned: Dec. 19, 2019

Mark Information

Mark Literal Elements: ENBY Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color. Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Sex toys

International Class(es): 010 - Primary Class U.S Class(es): 026, 039, 044

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No Currently Use: No

Filed ITU: Yes Currently ITU: Yes

Filed 44D: No Currently 44E: No

Filed 44E: No Currently 66A: No

Filed 66A: No Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Boyajian Products LLC

DBA, AKA, Formerly: DBA Wild Flower

Owner Address: 99 Wall Street, Suite 1420 New York, NEW YORK UNITED STATES 10005

Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Kristin Grant

Attorney Primary Email Address: Kgrant@grantipattorneys.com Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: KRISTIN GRANT Grant Attorneys at Law PLLC 40 Exchange Place, Suite 1306 New York, NEW YORK UNITED STATES 10005

Phone: 2125207881

Correspondent e-mail: Kgrant@grantipattorneys.com Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 30, 2019	ABANDONMENT NOTICE E-MAILED - FAILURE TO RESPOND	
Dec. 30, 2019	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Jun. 18, 2019	NOTIFICATION OF FINAL REFUSAL EMAILED	

Jun. 18, 2019	FINAL REFUSAL E-MAILED	
Jun. 18, 2019	FINAL REFUSAL WRITTEN	78322
May 29, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 28, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 28, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 20, 2019	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 11, 2019	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 11, 2019	NON-FINAL ACTION E-MAILED	6325
Apr. 11, 2019	NON-FINAL ACTION WRITTEN	78322
Apr. 09, 2019	ASSIGNED TO EXAMINER	78322
Feb. 22, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 02, 2019	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: SHANOSKI, JOANNA MARIE Law Office Assigned: LAW OFFICE 104

File Location

Current Location: TMEG LAW OFFICE 104 - EXAMINING ATTORNEY ASSIGNED Date in Location: Dec. 30, 2019

From: TMOfficialNotices@USPTO.GOV
Sent: Monday, December 30, 2019 06:11 PM
To: Kgrant@grantipattorneys.com
Subject: Official USPTO Notification: U.S. Trademark SN 88282201

OFFICIAL USPTO NOTICE OF ABANDONMENT

TRADEMARK APPLICATION ABANDONED FAILURE TO TIMELY RESPOND TO OFFICE ACTION

U.S. Application Serial No. 88282201

Mark: ENBY

Owner: Boyajian Products LLC

Docket/Reference No.

Issue Date: December 30, 2019

The application above is abandoned because we did not receive a response to the previous Office action within the six-month response period.

If you did not receive the Office action or if the delay in filing your response was unintentional, you can file a [Petition to Revive Abandoned Application - Failure to Respond Timely to Office Action](#) form. **You must file the petition within two months of the issue date of this notice. The petition must include the following:**

- (1) A signed statement by someone with firsthand knowledge of the facts, stating that the delay in responding by the due date was unintentional;
- (2) A complete response to the Office action if the Office action was received, or, if the Office action was not received, a clear statement of this fact; and
- (3) A petition fee.

If you have proof that the application was abandoned due to USPTO error, you can file a [Request for Reinstatement](#) of the application and include the proof (such as a copy of an email confirmation issued by the USPTO that includes the date of receipt and a summary of the online submission). You must file the request **within two months of the issue date of this notice**. There is no fee for this request.

For more information on filing a petition, see our [webpage on petitions](#).

For questions about this notice, filing a petition, or filing a request for reinstatement, contact the Trademark Assistance Center at 1-800-786-9199 (select option 1) or at TrademarkAssistanceCenter@uspto.gov.

View this notice and other documents for this application online in the [Trademark Status and Document Retrieval \(TSDR\)](#) database.

*** User:jdukovic ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	5695	N/A	0	0	0:04	*n\$1b{"iye"}*[bi,ti] not dead[ld]
02	1903	N/A	0	0	0:02	1 and "010"[cc]
03	158	0	6	6	0:01	1 and ("010" a b "200")[ic]
04	1413	N/A	0	0	0:02	*{v}nbe*[bi,ti] not dead[ld]
05	317	0	18	15	0:01	4 and "010"[cc]
06	485	N/A	0	0	0:01	*enbe*[bi,ti] not dead[ld]
07	107	0	11	9	0:02	6 and "010"[cc]

Session started 7/19/2019 2:15:01 PM

Session finished 7/19/2019 2:17:57 PM

Total search duration 0 minutes 13 seconds

Session duration 2 minutes 56 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICS as Serial Number: 88282201

To: Boyajian Products LLC (Kgrant@grantipattorneys.com)
Subject: U.S. TRADEMARK APPLICATION NO. 88282201 - ENBY - N/A
Sent: 6/18/2019 9:46:51 AM
Sent As: ECOM104@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)
[Attachment - 15](#)
[Attachment - 16](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 88282201

MARK: ENBY

88282201

CORRESPONDENT ADDRESS:

KRISTIN GRANT
Grant Attorneys at Law PLLC
40 Exchange Place, Suite 1306
New York NY 10005

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Boyajian Products LLC

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

Kgrant@grantipattorneys.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT **EASTERN TIME** OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: **6/18/2019**

THIS IS A FINAL ACTION.

INTRODUCTION

This Office action is in response to applicant's communication filed on 05/28/2019.

In a previous Office action(s) dated 04/11/2019, the trademark examining attorney refused registration of the applied-for mark based on the following: Descriptiveness under Trademark Act Section 2(e)(1).

The trademark examining attorney maintains and now makes **FINAL** the refusal(s) in the summary of issues below. See 37 C.F.R. §2.63(b); TMEP §714.04.

SUMMARY OF ISSUES MADE FINAL that applicant must address:

- Refusal- Descriptiveness

SECTION 2(e)(1) REFUSAL - MERELY DESCRIPTIVE

Registration had been refused because the applied-for mark merely describes the intended user of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); see TMEP §§1209.01(b), 1209.03 *et seq.*

Applicant's arguments have been carefully considered, but ultimately found unpersuasive for the reasons set forth below.

Determining the descriptiveness of a mark is done in relation to an applicant's goods and/or services, the context in which the mark is being used, and the possible significance the mark would have to the average purchaser because of the manner of its use or intended use. See *In re The Chamber of Commerce of the U.S.*, 675 F.3d 1297, 1300, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012) (citing *In re Bayer Aktiengesellschaft*, 488 F.3d 960, 963-64, 82 USPQ2d 1828, 1831 (Fed. Cir. 2007)); TMEP §1209.01(b). Descriptiveness of a mark is not considered in the abstract. *In re Bayer Aktiengesellschaft*, 488 F.3d at 963-64, 82 USPQ2d at 1831.

Two major reasons for not protecting descriptive marks are (1) to prevent the owner of a descriptive mark from inhibiting competition in the marketplace and (2) to avoid the possibility of costly infringement suits brought by the trademark or service mark owner. *In re Abcor Dev. Corp.*, 588 F.2d 811, 813, 200 USPQ 215, 217 (C.C.P.A. 1978); TMEP §1209. Businesses and competitors should be free to use descriptive language when describing their own goods and/or services to the public in advertising and marketing materials. See *In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1527 (TTAB 2001).

A mark that describes an intended user or group of users of a product or service is merely descriptive. *E.g.*, *In re Planalytics, Inc.*, 70 USPQ2d 1453 (TTAB 2004) (holding GASBUYER merely descriptive of intended user of risk management services in the field of pricing and purchasing natural gas); *In re Camel Mfg. Co.*, 222 USPQ 1031 (TTAB 1984) (holding MOUNTAIN CAMPER merely descriptive of intended users of retail and mail order services in the field of outdoor equipment and apparel); see TMEP §1209.03(i).

In the first Office action, evidence was provided to show that the term ENBY is used to refer to a person who does not identify their gender specifically as a male or a female. The applicant's goods are sex toys. When the mark is applied to the goods, the consumer is immediately informed that the sex toys are specifically for use by an ENBY, or person who does not who does not identify their gender specifically as a male or a female.

Applicant argues that the mark does not specifically identify the intended user of the goods. The examining attorney respectfully disagrees. Several product reviews and Internet articles, including interviews specifically of the product owners and designers, show that the goods are specifically designed to be used by persons who are ENBY, or non-binary. See attached website evidence at:

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>

<https://www.wellandgood.com/good-advice/gender-free-sex-toys/>

<https://www.askmen.com/news/dating/wildflower-releases-enby-the-first-gender-neutral-sex-toy.html>

<https://www.allure.com/story/enby-review-wild-flower-sex-toy-gender-free>

Thus, the mark describes the intended user of applicant's goods, and must be refused.

For the foregoing reasons, this refusal is maintained and made **FINAL**.

Supplemental Register Information

Although an amendment to the Supplemental Register would normally be an appropriate response to this refusal, such a response is not appropriate in the present case. The instant application was filed under Trademark Act Section 1(b) and is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use meeting the requirements of 37 C.F.R. §2.76 has been timely filed. 37 C.F.R. §2.47(d); TMEP §§816.02, 1102.03.

If applicant files an acceptable allegation of use and also amends to the Supplemental Register, the application effective filing date will be the date applicant met the minimum filing requirements under 37 C.F.R. §2.76(c) for an amendment to allege use. TMEP §§816.02, 1102.03; *see* 37 C.F.R. §2.75(b). In addition, the undersigned trademark examining attorney will conduct a new search of the USPTO records for conflicting marks based on the later application filing date. TMEP §§206.01, 1102.03.

RESPONSE GUIDELINES

Applicant must respond within six months of the date of issuance of this final Office action or the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond by providing one or both of the following:

- (1) a response [filed using the Trademark Electronic Application System \(TEAS\)](#) that fully satisfies all outstanding requirements and/or resolves all outstanding refusals; and/or
- (2) an appeal to the Trademark Trial and Appeal Board [filed using the Electronic System for Trademark Trials and Appeals \(ESTTA\)](#) with the required filing fee of \$200 per class.

37 C.F.R. §2.63(b)(1)-(2); TMEP §714.04; *see* 37 C.F.R. §2.6(a)(18); TBMP ch. 1200.

In certain rare circumstances, an applicant may respond by [filing a petition to the Director](#) pursuant to 37 C.F.R. §2.63(b)(2) to review procedural issues. TMEP §714.04; *see* 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). There is a fee required for filing a petition. 37 C.F.R. §2.6(a)(15).

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (*see* TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. *See* 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

Shanoski, Joanna
/Joanna M Shanoski/
Examining Attorney- Law Office 104
E-mail: Joanna.Shanoski@uspto.gov
Phone: (571) 272-9707

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at


<http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM


This website uses cookies to ensure you get the best experience. [More info](#) [Got it!](#)

**BARNEYS
NEW YORK
WAREHOUSE**




Barneys New York Women's Denim Backpack - Black

\$36




Prada Women's Leather-Trimmed Floral Backpack - ...

\$829



Barneys New York Women's Top-Zip Tote Bag - Light G...

\$32



Barneys New York Women's Monica Mini-Crossbody Ba...

\$60

de
zeen

Magazine
Awards
Jobs

Architecture
Interiors
Design
Technology


Movies
Comments
Opinion
Subscribe

Search


Follow: [f](#) [t](#) [i](#) [p](#) [y](#)




**BARNEYS
NEW YORK
WAREHOUSE**




Shop Now




Shop Now




Shop Now



Shop Now



Shop Now



Shop Now

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM

Wild Flower launches gender-neutral sex toy Enby for "all of life's transitions"



Rima Sabina Aouf | 14 June 2019 | 15 comments

The first sex toy created by retailer Wild Flower is a genderless object meant to suit a variety of bodies.

Named Enby after the acronym NB, short for non-binary, the vibrator is designed to appeal to users across all genders, with an abstracted shape and open-ended functionality.

"[We] wanted to create a toy that could stay with someone through all of life's transitions – changing bodies, new partners, evolving desires and beyond," said Wild Flower.



Shop Now



Shop Now

Top design stories

Most popular

Most recent



- 1 Nike Stranger Things sportswear collection channels 1980s nostalgia
- 2 Jasper Morrison curates 18 designer benches for Fiskars Village Biennale
- 3 This week, Sagrada Familia finally got a building permit
- 4 Useless is a digital directory for London's zero-waste shops
- 5 Positions at Soho House and Benoy available on Dezeen Jobs this week

Tej Chauhan designs car tyre based on Nike's Air Force 1 sneaker



<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM

Enby is designed for people of all genders

The company added that the gender-neutral aesthetic and function of Enby "allows you to write your own sexual script", avoiding the prescriptiveness of more familiar sex toy designs.

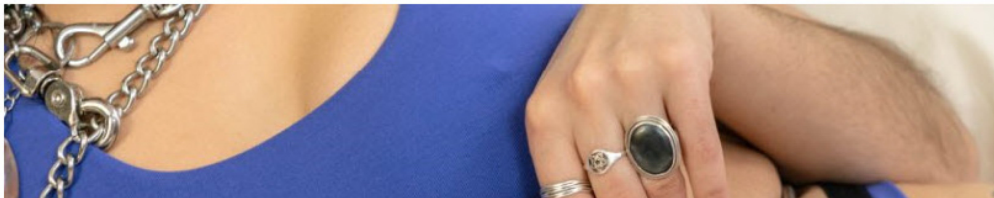
The flexible silicone vibrator has wings that fan out from a central ridge, in a shape similar to a bike saddle or stingray.



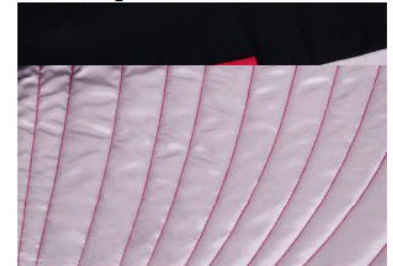
It is a flexible silicone vibrator with wings

The idea is that users can place Enby on or wrap it around many potentially sensitive areas of their bodies.

As a starting point, Wild Flower suggests three potential ways to use the toy: first, "hump it", by lying it flat on the bed and grinding against it; second, "stroke it", by curling it into a hand-held massager; and third, "tuck it", by slipping it inside a harness or underwear.



Thinx launches "taboo-smashing" Period Sex Blanket



IKEA launches homeware made from rice straw to help reduce India's smog problem



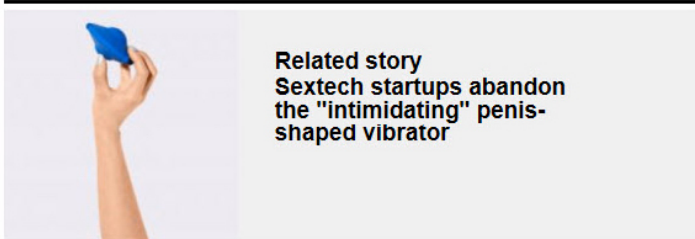
The Ocean Cleanup labelled "a dream that seduced men"

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM



You place Enby on or wrap it around different areas of the body

Enby is an extension of a project Amy Boyajian and Nick Boyajian started two years ago when they founded Wild Flower, an online adult store where products are sorted by body part or type of play, not gender.



"We wanted to disrupt the sex toy industry, educate our customers and banish the binary by offering non-gendered products," said Nick.

"While we're very proud of the products we've been able to carry and the work that we've done, we've always felt that there isn't a single product that truly represents our goals and mission."



dream that seduced many"



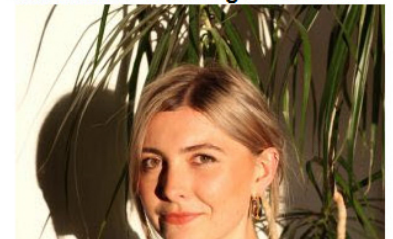
Subscribe

Subscribe to
our newsletters

Email

Next

Stacie Woolsey creates her own
masters course as "viable
alternative" to design education



<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM



It has three speeds and five patterns of vibration

The gender-neutral sex toy has three speeds and five patterns of vibration, and comes in two colours: black or purple.

It comes during a renaissance in sex toy design that has seen a shift away from penis-shaped objects. Instead, the latest vibrators are more likely to have smooth and minimal, abstracted forms – alongside the occasional avocado or flying saucer.

Other recently launched products include Dame's compact Fin vibrator, worn over the finger like a ring, and Buck Off, a toy designed especially for transgender men.

[Read more](#) [Design](#) | [Sex toys](#) | [Products](#) | [Sex](#)

Subscribe to our newsletters

Email

Next



Stripped-back surfaces appear throughout Hackney apartment

BARNEYS
NEW YORK
WAREHOUSE

Shop Now

Shop Now

Shop Now

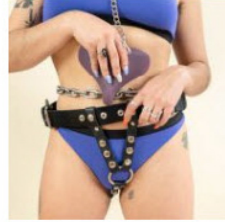
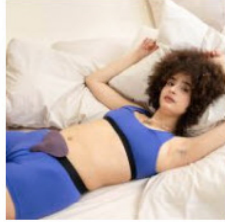
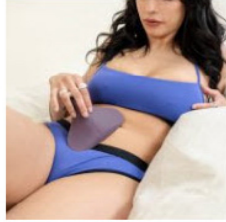
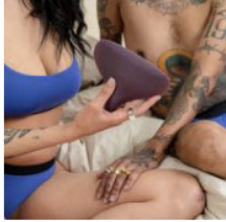
Shop Now

Popular
jobs

Featured
jobs

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM

More images



Share and comment



15 comments

More
Architecture
Interiors
Design
Technology

Recommended stories



Kapland Arkitekter perches Cabin Stokkøya on rugged landscape of Norwegian island



10 bunker-like houses in Japan that offer total privacy



Bjarke Ingels says a style is "like a straitjacket"



Apple keeps it simple with new "monster" Mac Pro

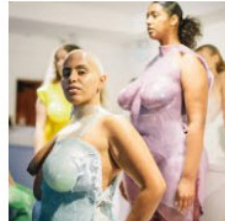
Studio Seilern Architects raises the roof of Andermatt concert hall



Lianjie Wu designs affordable homes that are deliberately left unfinished



Nike channels 1980s nostalgia into Stranger Things sportswear collection



Eight designers to watch from the Royal College of Art's 2018 fashion graduates

HASSELL

- 1 Project administrator at Hassell
- 2 Architect at Material Works Architecture
- 3 Designer at Surface to Air
- 4 Interior design procurement lead at Millier
- 5 Architectural assistant – Revit at Adamson Associates

Fran Silvestre Arquitectos creates walkway on top of glazed Hoffman House



Dame's compact Fin vibrator slots between two fingers



<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM

Recommended movies



Studio Bark's modular U-build system lets anyone self-build sustainably

Watch footage of Fredrik Tjærandsen's balloon fashion that went viral



Dezeen Jobs



MIT researchers engineer "cyborg" plants for motion-tracking and sending notifications



Olafur Eliasson joins with IKEA to encourage people to harvest their own power

Dezeen Awards

Comments

[Visit our comments page](#) | [Read our comments policy](#)

15 Comments

Dezeen

Login ▾

Recommend

[t Tweet](#)

[f Share](#)

Sort by Newest ▾



Join the discussion...

LOG IN WITH



OR SIGN UP WITH DISQUS (?)

Name

Maciek Kwiatkowski • a day ago • edited

Dezeen, you are very backward – on other architectural portals they are already promoting "eager goat" toys. You must accelerate your march towards full liberation.

△ ▾ • Reply • Share ▾

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
 06/17/2019 01:20:45 PM

gerrard coetzee · a day ago · edited

Is this site predominantly "architectural and design related" or sex shop toys, oh my!

△ | ▽ · Reply · Share ›

Thomas · 3 days ago

Jordan Peterson please help us!

△ | ▽ · Reply · Share ›

Volant1 · 3 days ago

So this is the end of the internet...

2 △ | ▽ · Reply · Share ›

Le Ego · 3 days ago

Does it go on your bike seat?

1 △ | ▽ · Reply · Share ›

mcmlxix > Le Ego · 3 days ago

South Park was worse.

△ | ▽ · Reply · Share ›

James Egnor > Le Ego · 3 days ago · edited

If you see someone riding their bike over and over a speed-bump or railroad trestles, then the answer is "yes".

1 △ | ▽ · Reply · Share ›

James Egnor · 3 days ago · edited

Upon seeing the first photo, I thought this was just a large Hershey's kiss. Apparently not.

1 △ | ▽ · Reply · Share ›

Starcruzer · 3 days ago · edited

Do they feature any males in their promo shots?

△ | ▽ · Reply · Share ›

gerrard coetzee > Starcruzer · a day ago · edited

No need, some males already have the junk.

△ | ▽ · Reply · Share ›

Jacob Volanski > Starcruzer · 3 days ago · edited

Yes.

△ | ▽ · Reply · Share ›

Mr.A · 3 days ago · edited

What am I looking at?

1 △ | ▽ · Reply · Share ›

Le canal hertzien · 3 days ago · edited

<https://www.dezeen.com/2019/06/14/wild-flower-designs-gender-neutral-sex-toy-enby-for-all-of-lifes-transitions/>
06/17/2019 01:20:45 PM

Le canal hertzien · 2 days ago · edited
I don't understand the purpose of this thing.
△ | ▾ · Reply · Share ›

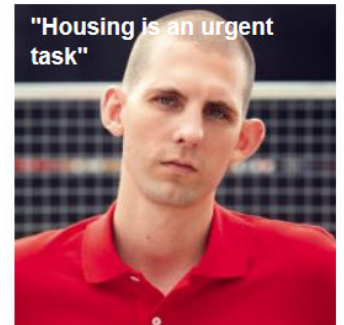
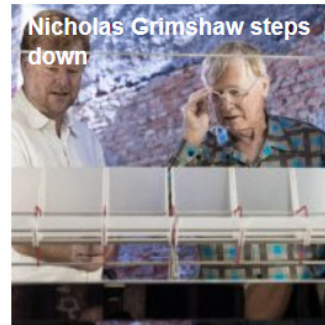
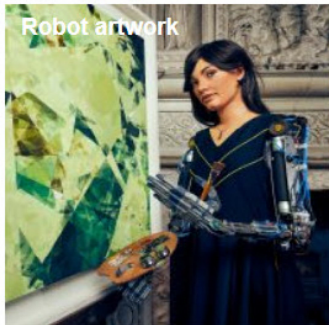
Aaron · Le canal hertzien · 2 days ago · edited
Perhaps that's a reflection of you and not the product?
△ | ▾ · Reply · Share ›

Le canal hertzien · Aaron · 2 days ago · edited
Could be true since I'm not gender neutral and I have no use of a sex toy.
△ | ▾ · Reply · Share ›

Subscribe Disqus' Privacy Policy



Highlights



Magazine
Awards
Jobs

Architecture
Interiors
Design
Technology

Movies
Comments
Opinion
Subscribe

Submit a story
Advertise
Privacy notice
Contact

<https://www.allure.com/story/enby-review-wild-flower-sex-toy-gender-free> 06/17/2019 01:25:13 PM

allure

SIGN IN

SUBSCRIBE

NEWSLETTER



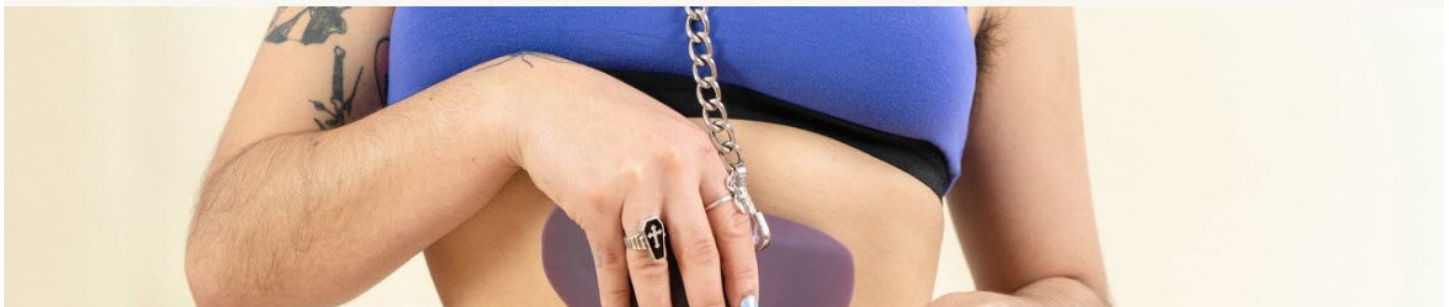
SEX

I Tried the Enby, a New Sex Toy Designed to Fit the Needs of All Genders and Genitals

In a market flooded by unnecessarily gendered products that require way too many workarounds, **Wild Flower** has launched the toy we've all been waiting for.

BY KASANDRA BRABAW

June 5, 2019





Courtesy of Brand



One night I met Chris*, he had been on just three dates with my roommate, yet a mere 30 minutes after I met him, he had shaken his hand, we were talking about our sex lives. This experience isn't out of the ordinary for me: when I tell people I write about sex, they suddenly feel comfortable asking very personal questions. This time, however, I was shaken because Chris asked me a question that I could not answer: **"Where are all the sex toys for transgender men?"**

Now, several months later, I have an answer for Chris: He should try the **Enby**.

What Makes the Enby Different

Though I could point Chris to several toys that would feel good on his body, I couldn't name one that was *made* for him, as the majority of the market is designed with either cisgender men or women in mind.

What's more, toys are often unnecessarily gendered by companies and retailers alike. For years, nearly every vibrator you could buy was pink. Many feature names like "the **Womanizer**" and "**Mr. Swirly**," and are sold within "For Her" and "For Him" categories. Fortunately, this is (slowly) changing as more women and queer and transgender people create sex toys and open sex-toy shops.

Enby is a new gender-free sex toy from **Wild Flower**. What is a "gender-free sex toy," you ask? Unlike most products in its genre, the Enby was designed to fit the needs of any genitals and gender, thus the name. (The word "enby" is often used as shorthand for nonbinary people; "nonbinary" is abbreviated to "NB," pronounced "enby.")

Depending on your anatomy, you can bend the toy into a penis sleeve or rub yourself against it. It can

<https://www.allure.com/story/enby-review-wild-flower-sex-toy-gender-free> 06/17/2019 01:25:13 PM

Depending on your anatomy, you can bend the toy into a penis sleeve or rub your clit against it. It can also be put into a strap-on harness or slipped between two bodies during partner play, according to Wild Flower's cofounders, **Nick** and **Amy Boyajian**. The couple designed the Enby to meet their own needs, as well as the needs of friends and customers. Amy, who's nonbinary, wished for a sex toy they could hump while masturbating on their stomach, and customers wanted something they could **use with a strap-on**.

Courtesy of Brand

"So many people wrote emails asking us to recommend toys that they could slip into a harness," Amy tells *Allure*. "They were like, 'I love wearing my strap and fucking my partner, but it's not doing anything for me.'" Others wanted something that would add vibration to partnered sex, but didn't need to be held or inserted into a vagina or anus. And others needed sex toys that would transition with them — a need that is rarely, if ever, addressed within the industry.

How the Enby Works

Nick and Amy set to work designing a toy to fit everyone's needs. The result: a vibrator that resembles something like a stingray, and comes in black and a deep purple, colors chosen by Amy and Nick because they're **often considered gender-neutral**. The toy has super flexible wings that make it easy to bend, a flexible curved hump on the top, and three ridges on the bottom.

ADVERTISEMENT

Courtesy of brand

All of these features combined make this vibrator incredibly versatile, and that makes Enby a perfect toy for Chris and other transgender and nonbinary folks. In fact, a transgender friend of Amy and Nick's helped inspire Enby. Soon after they started drawing up the plans, Amy and Nick were talking with a friend who'd recently had genital reconstruction. She had to throw away all of her sex toys after surgery, she complained, because they didn't work with her new body and was left with the expensive task of re-creating her sex-toy collection.

<https://www.allure.com/story/enby-review-wild-flower-sex-toy-gender-free> 06/17/2019 01:25:13 PM

Expense aside, gender-free toys like Enby fill an important need for **trans and nonbinary people**. Lots of sex toys would work for Chris's anatomy, but those toys are marketed for women. Using them, he told me, made his **gender dysphoria** stronger — meaning that he felt a bigger disconnect between his body and his gender. Enby is made for all bodies and all genders. It's what Chris was looking for when he wanted a toy made for him.

Courtesy of Brand

As with most sex toys, those who have tried Enby have gotten creative. You can lay it on a bed or any other flat surface and rub yourself against the tip; you can fold the edges in your fist to create a masturbation sleeve; you can put it face down into a harness; and you can put it between you and your partner during sex.

A Range of Reviews for the Enby

I tried laying on my stomach and rubbing against Enby, and it felt incredible. It's an amazing toy for anyone who enjoys a humping motion during sex, solo or partnered. While some people suggested putting Enby on top of a pillow and grinding against it, that didn't work as well for me. Some of the vibration was lost as the toy sunk into the pillow's soft surface and it didn't connect with my clit as much as it did when it was on the harder surface of my bed.

ADVERTISEMENT

ADVERTISEMENT

My girlfriend and I also tried Enby in our strap-on harness. She slipped it beneath our silicone dildo, both with the curved tip facing toward her body and away from it. The vibrations felt nice, she said, but not SO nice that she could get off while also getting me off. The feeling simply wasn't strong enough to make her orgasm, and she had trouble keeping the toy in the right spot as she thrust. But the night wasn't a loss,

<https://www.allure.com/story/enby-review-wild-flower-sex-toy-gender-free> 06/17/2019 01:25:13 PM

by any means. While Enby didn't **give my girlfriend an orgasm**, it did make the dildo we use vibrate, which took our usual strap-on sex to new heights for me.

Nick and Amy had several friends try the toy, and asked for their feedback. Not surprisingly, they had a range of experiences with Enby, each involving a different technique to get off. "I loved how well it stayed in place against a pillow as I rubbed against it," their friend Kate says of their experience. Marielle says, "There's so much to do with just one toy! I really like putting it on my boyfriend's body and grinding against it during sex and riding it like a bike seat against my pillow." Another tester, Michael, enjoyed the feeling of the ribs against his penis. And Angel was thrilled to finally have a toy they could use with their transitioning body.

Courtesy of Brand

Overall, I'd recommend Enby for anyone, **regardless of gender** or genitalia. As with any other sex toy, you'll have to play around with it to determine how it best works for your body, but it's absolutely worth it once you find that sweet spot. (Plus, playing around is half the fun, right?)

Starting June 5, you can preorder Enby on **Wildflowersex.com** for \$75. (The brand notes that preorders will be in customers' hands by the last week of June.) If you're debating snagging an independently owned, gender-inclusive device for your summer sex-toy lineup, now's the perfect time to decide to place your order.

**Names have been changed for privacy.*

Courtesy of Brands

ADVERTISEMENT

Now read more about sex toys:

- **The 23 Best Sex Toys for Couples to Use Together**

<https://www.allure.com/story/enby-review-wild-flower-sex-toy-gender-free> 06/17/2019 01:25:13 PM

- [Everything You Need to Know About Pegging Your Partner](#)
- [This Vibrator Made Me Realize I'm a Squirter](#)

Done reading? Now watch 100 years of tattoos:

Follow Allure on [Instagram](#) and [Twitter](#), or [subscribe to Allure's newsletter](#) for daily beauty stories delivered right to your inbox.

Read More

9:19:08 AM 6/18/2019

<https://www.askmen.com/news/dating/wildflower-releases-enby-the-first-gender-neutral-sex-toy.html>

askmen⁺
BECOME A BETTER MAN



SIGN UP OR LOG

guyQ

NEWS ▾

SEX ▾

DATING ▾

GROOMING ▾

STYLE ▾

FITNESS ▾

GEAR ▾

MAN SKILLS ▾

SUBSCRIBE



Those looking for a little more inclusivity in their foreplay and what follows might want to consider a new sex toy aimed at every possible shape, size, and sexual orientation. Enby – or NB, which is a common acronym for nonbinary – presents a brand new dimension in erotic play for every

body on Earth. While traditional toys pulled from the pleasure chest have typically been designed for cisgendered men and women, the playful Enby is configured to fit all genitalia in a variety of different ways.

Enby comes to the world from Wild Flower, a sex toy retailer whose founders are often noted for their commitment to inclusiveness and sensitivity. While Wild Flower founders Nick and Amy Boyajian had catered to frisky folks of all different persuasions for some time, they finally decided it was time to create their own, original toy.

Although Wild Flower's co-founders have created a site of more than 350 products sorted by play or body part, it has never been sorted by gender. The founders have always been driven by the goal to find a way to take gender out of sex toys.

According to Nick and Amy, customer demand for sex toys means sex toys need to meet practical needs such as slipping between bodies during sex, being quiet, and fitting in a harness. The toys must also avoid prescribing an identity or sexual style onto its user. The team wanted to make sure their products welcomed all bodies and types of play without subscribing to the typical gender norms often found in the adult industry.

Amy and Nick Boyajian also didn't cut any corners when it comes to the variety of ways you can use Enby to get down to business. First, you can fold the device into a wildly impressive and impromptu penis sleeve for those who have that particular set of equipment. Meanwhile, you can also place it against the clitoris for some seriously sexy vibes, if that's your thing.

Wild Flower describes Enby as "genderless," in keeping with its nonbinary name. It is silent and includes the practicality of being able to slip between bodies and attach to a harness. However, it also offers two different colorways – a pitch black and a royal purple. Given the stingray-like shape of the toy, it is wholly flexible and able to contort into a variety of different shapes. The toy for two – or more – also boasts a trio of textured ridges on the bottom, and a soft, curvy hump on top.

RELATED: [The 34 Best Sex Toys for Men](#)

In the spirit of greater inclusivity, Enby was designed, and lovingly crafted after the minds at Wild Flower who spent countless hours querying the LGBTQ community on their secret wishes and desires. Above all, it was important to them – and their broadening range of customers from all walks of life – that the Enby did not project an identity or sexual style upon the user.

For many people, Enby is an extremely novel, cutting-edge product. Having only been released days ago, early reviews from a wide range of

customers have been stellar. It's possible that the world's first gender-neutral sex toy will lead to new (and better) sex for everyone.

You Might Also Dig:

- [Sex Toys for Beginners](#)
- [The Best Sex Toys for Couples](#)
- [The Best Discreet Sex Toys](#)

[Next Article »](#)

Show comments (0)

Sex Toys

news



ESSENTIAL

The Lessons Men Have Learned From Their Fathers

[READ MORE](#)

FROM THE WEB

Powered by ZergNet



THE 5 PEOPLE YOUR SPOUSE IS MOST LIKELY TO



SCIENCE REVEALS WHAT WOMEN FIND MOST PHYSICALLY



BIZARRE THINGS ONLY AMERICANS FIND ATTRACTIVE



WHAT YOU SHOULD KNOW BEFORE EATING MOVIE

Recommended Reading



HOME DEALS

Game of Thrones?



HOME DEALS

15% Off



CAREER & MON

Trending News



HEALTH

Teens Watching

Save On Geeky
Bedroom Toys
With This
Exclusive Code

LoveHoney.com
for a Limited Time
Only

UT Students
Launch 'Cocks
Not Glocks' Gun
Protest Campaign

Porn Isn't Harmful
to Sex Lives Later

THE BEST IN
GEAR - STYLE - TECH
RIGHT TO YOUR INBOX EVERY DAY
Acquire



SUBSCRIBE NOW



NEWS

Career & Money
Dating
Entertainment
Food & Booze
Health
Home & Auto
Style & Fashion
Tech

SEX

Sex Positions
Sex Tips
Sex Toys &
Games
Sexual
Experiences
Sexual Health

DATING

Dating Advice
Dating
Experiences
Best Online
Dating Sites
Relationship
Advice

GROOMING

Fragrances
Hair
Shaving
Skin

STYLE

Accessories
Fashion Advice
Fashion Trends
Shopping
Underwear

FITNESS

Health
Mental Health
Nutrition
Weight Loss
Workout

GEAR

Hobby
Home
Tech
Toys
Travel
Work

MAN SKILLS

Auto
Essential
Home
Random
Survival

DEALS

Health Deals
Home Deals
Style Deals
Tech Deals

CAREER & MONEY

HOME & AUTO

GIFTING

Anniversaries

REVIEWS

Best Subscription

FOOD & BOOZE

Career	Auto	Anniversaries	Best Subscription	
Money	Home	Birthdays	Services	Booze
Productivity	Parenting	Father's Day	Classes	Food
Self-Improvement	Pets	Holidays	Meal Kits	
	Tools	Mother's Day	Products	
		Valentine's Day		
		Weddings		

ENTERTAINMENT

[Celebs](#)
[Guy Perspective](#)
[Media](#)
[Music](#)
[Sports](#)
[Travel](#)
[TV & Film](#)



© 2019 ZIFF DAVIS CANADA, INC. ALL RIGHTS RESERVED.

AskMen, Become a Better Man, Big Shiny Things, Mantics and guyQ are among the federally registered trademarks of Ziff Davis Canada, Inc. and may not be used by third parties without explicit permission.

[Media Kit](#)
[Contact Us](#)
[Terms of Use](#)
[Privacy Policy](#)
[Accessibility Statement](#)

AdChoices

[IGN](#)
[PCMag](#)
[Offers.com](#)
[Geek](#)
[ExtremeTech](#)
[Toolbox](#)
[SpeedTest](#)



To: Boyajian Products LLC (Kgrant@grantipattorneys.com)
Subject: U.S. TRADEMARK APPLICATION NO. 88282201 - ENBY - N/A
Sent: 6/18/2019 9:46:52 AM
Sent As: ECOM104@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **6/18/2019** FOR U.S. APPLICATION SERIAL NO. 88282201

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **6/18/2019** (*or sooner if specified in the Office action*). A response transmitted through the Trademark Electronic Application System (TEAS) must be received before midnight **Eastern Time** of the last day of the response period. For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the TEAS response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

Trademark Snap Shot Amendment & Mail Processing Stylesheet

(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	88282201	FILING DATE	01/30/2019
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SHANOSKI, JOANNA MARIE	L.O. ASSIGNED	104

PUB INFORMATION

RUN DATE	05/30/2019
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	05/29/2019
LITERAL MARK ELEMENT	ENBY

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	ENBY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Boyajian Products LLC
ADDRESS	99 Wall Street, Suite 1420 New York, NY 10005
ENTITY	16-LTD LIAB CO
CITIZENSHIP	New York
DBA/AKA	DBA Wild Flower

GOODS AND SERVICES

INTERNATIONAL CLASS	010
DESCRIPTION TEXT	Sex toys

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	010	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
------------------------	----

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/29/2019	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
05/28/2019	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
05/28/2019	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
05/20/2019	TCCA	I	TEAS CHANGE OF CORRESPONDENCE RECEIVED	007
04/11/2019	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
04/11/2019	GNRT	F	NON-FINAL ACTION E-MAILED	005
04/11/2019	CNRT	R	NON-FINAL ACTION WRITTEN	004
04/09/2019	DOCK	D	ASSIGNED TO EXAMINER	003
02/22/2019	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/02/2019	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Kristin Grant
CORRESPONDENCE ADDRESS	KRISTIN GRANT Grant Attorneys at Law PLLC 40 Exchange Place, Suite 1306 New York NY 10005
DOMESTIC REPRESENTATIVE	NONE

ENBY

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1957 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

Response to Office Action

The table below presents the data as entered.

SERIAL NUMBER	88282201
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/88282201/large
LITERAL ELEMENT	ENBY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
ARGUMENT(S)	
Please see the actual argument text attached within the Evidence section.	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_981136115-20190528163827554084_.ROA_ENBY_28May2019.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT17\IMAGEOUT17\882\822\88282201\xml5\ROA0002.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\882\822\88282201\xml5\ROA0003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\882\822\88282201\xml5\ROA0004.JPG
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Kristin Grant/
SIGNATORY'S NAME	Kristin Grant
SIGNATORY'S POSITION	Attorney of record, New York bar member
SIGNATORY'S PHONE NUMBER	2125207881
DATE SIGNED	05/28/2019
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Tue May 28 16:45:07 EDT 2019
TEAS STAMP	USPTO/ROA-XX.XXX.X.XXX-20 190528164507794959-882822 01-62025301d233e9bbc55675 9423bf55f517e3caa78cc9e10 226fbc26136be226135-N/A-N /A-20190528163827554084

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **88282201** ENBY(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88282201/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Please see the actual argument text attached within the Evidence section.

EVIDENCE

Original PDF file:

[evi_981136115-20190528163827554084..ROA_ENBY_28May2019.pdf](#)

Converted PDF file(s) (3 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

SIGNATURE(S)

Response Signature

Signature: /Kristin Grant/ Date: 05/28/2019

Signatory's Name: Kristin Grant

Signatory's Position: Attorney of record, New York bar member

Signatory's Phone Number: 2125207881

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 88282201

Internet Transmission Date: Tue May 28 16:45:07 EDT 2019

TEAS Stamp: USPTO/ROA-XX.XXX.X.XXX-20190528164507794

959-88282201-62025301d233e9bbc556759423b

f55f517e3caa78cc9e10226fbc26136be226135-

N/A-N/A-20190528163827554084

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Boyajian Products LLC
Mark:	ENBY
Serial No:	88282201
Filing Date:	1/30/2019
Trademark Examining Attorney:	Joanna M Shanoski
Law Office:	104

RESPONSE TO OFFICE ACTION

The Office Action dated April 11, 2019, was received and carefully reviewed and the following response has been submitted.

I. INTRODUCTION

The Examining Attorney has refused registration of the applied-for mark pursuant to Section 2(e)(1) of the Trademark Act, on the grounds that Applicant's mark is merely descriptive. In light of the below arguments, Applicant respectfully requests that the Examining Attorney withdraw the refusal to register the mark.

II. STANDARD

The Examining Attorney bears the burden of showing that a mark is merely descriptive of the relevant goods or services. *In re Remacle*, 66 USPQ2d 1222, 1224 (TTAB 2002); *see also In re Crocker*, 223 USPQ 152, 154 (TTAB 1984). If there are any doubts as to whether the mark is merely descriptive, the Examining Attorney should resolve the issue in favor of Applicant and proceed with registration. *In re Grand Metropolitan Foodservice, Inc.*, 30 USPQ2d 1974 (TTAB 1994); *In re Micro Instrument Corp.*, 22 USPQ 252, 255 (TTAB 1984); *In re Morton-Norwich Products Inc.*, 209 USPQ 791 (TTAB 1981).

III. MERELY DESCRIPTIVE REFUSAL - 2(e)(1)

In determining whether a mark is merely descriptive, courts look to see whether the mark describes an ingredient, quality, characteristic, function, feature, purpose, or use of the specified goods or services. TMEP § 1209.01(b); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984). The word

ENBY
 Serial No. 88282201
 Page 2

“merely” is to be taken in its ordinary meaning — that is, that when considered with the particular goods and services, the mark, because of its meaning, does nothing but describe the goods or services. *In re Colonial Stores, Inc.*, 394 F.2d 549, 157 USPQ 382 (CCPA 1963); *In re Quik-Print Copy Shop, Inc.*, 616 F.2d 523, 205 USPQ 505 (CCPA 1980). If some imagination, thought or perception is required to determine the nature of the goods or services from the mark, the mark is suggestive, and thus registrable. See *In re Shutts*, 217 USPQ 363 (TTAB 1983) (SNO RAKE held not merely descriptive of a snow removal hand tool); (SPEEDI BAKE for frozen dough found to fall within the category of suggestive marks, because it only vaguely suggests a desirable characteristic of frozen dough, namely, that it quickly and easily may be baked into bread); *In re Pennwalt Corp.*, 173 USPQ 317 (TTAB 1972) (DRI-FOOT held suggestive of anti-perspirant deodorant for feet in part because, in the singular, it is not the usual or normal manner in which the purpose of an anti-perspirant and deodorant for the feet would be described); *In re Tennis in the Round, Inc.*, 199 USPQ 496, 497 (TTAB 1978).

The Board has made it clear that in order for a mark to be considered merely descriptive, the term must describe the goods or services *with particularity*. *In re Plus Products*, 211 USPQ 1199, 1204-05 (TTAB 1981); *see also In re TMS Corp. of the Americas*, 200 USPQ 57, 59 (TTAB 1978) (THE MONEY STORE held registrable since it fell short of describing applicant’s services in any one degree of particularity); *Holiday Inns, Inc. v. Monolith Enterprises*, 213 USPQ 949, 952 (TTAB 1981) (THE AMERICAN CAFÉ held registrable since “American” failed to *immediately* tell a diner of what dinner to expect). The goods identified by the Applicant are “sex toys” in Class 10 and are directed to any consumer regardless of gender or sexuality. In determining descriptiveness, we must consider “the context in which [a mark] is being used, and the possible significance that the term would have to the average purchaser of the goods because of the manner of its use or intended use.” *Chamber of Commerce of the U.S.*, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012). The term ENBY does not describe the goods nor does it identify the intended user. When used in relation to the goods, the consumer would need to use some imagination, thought or perception and would understand that the mark suggests that the goods themselves are non-binary and intended for all, not that the goods are intended for non-binary individuals.

The examiner states that two major reasons for not protecting descriptive marks are (1) to prevent the owner of a descriptive mark from inhibiting competition in the marketplace and (2) to

ENBY
Serial No. 88282201
Page 3

avoid the possibility of costly infringement suits brought by the trademark or service mark owner.

The fact that a mark has the potential to be used descriptively does not, in and of itself, render that mark generally descriptive in relation to the goods or services offered. For example, the owner of THE AMERICAN CAFÉ trademark would not necessarily be able to prevent another restaurant owner from describing its restaurant as an American café. The term enby is a phonetic equivalent of NB which is short for non-binary. Registration of EBNY in relation to sex toys would not prevent other companies from marketing sex toys and similar goods/services to non-binary consumers, it would simply prevent competitors from branding their products with the ENBY mark. Since the ENBY mark does not describe the goods with particularity, does not identify the intended user and registration thereof would not inhibit competition, the applicant respectfully requests that the examining attorney reconsider its refusal.

IV. CONCLUSION

For the reasons stated above, Applicant respectfully requests that the Examining Attorney reconsider the merely descriptive refusal and allow the application to proceed to publication.

Change Of Correspondence Address

The table below presents the data as entered.

SERIAL NUMBER	88282201
LAW OFFICE ASSIGNED	LAW OFFICE 104
MARK SECTION	
MARK	ENBY (see, https://tmng-al.uspto.gov/resting2/api/img/88282201/large)
CORRESPONDENCE SECTION (current)	
ORIGINAL ADDRESS	KRISTIN GRANT GRANT ATTORNEYS AT LAW PLLC 211 EAST 43RD STREET, 7TH FLOOR NEW YORK New York 10017 US 212-520-7881 Kgrant@grantipattorneys.com
NEW CORRESPONDENCE ADDRESS	
NEW ADDRESS	KRISTIN GRANT Grant Attorneys at Law PLLC 40 Exchange Place, Suite 1306 New York New York United States 10005 2125207881 Kgrant@grantipattorneys.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	
SIGNATURE SECTION	
SIGNATURE	/Kristin Grant/
SIGNATORY NAME	Kristin Grant
SIGNATORY DATE	05/20/2019
SIGNATORY POSITION	Attorney of record, New York bar member
SIGNATORY PHONE NUMBER	2125207881
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon May 20 11:23:24 EDT 2019
TEAS STAMP	USPTO/CCA-XX.XXX.X.XXX-20 190520112324246927-880167 43-620f975823cae1e81dc3aa e57557f3fb65aba145526e14a 5b81fe1cda8c4dbeca8-N/A-N /A-20190520111750286937

To: Boyajian Products LLC (Kgrant@grantipattorneys.com)
Subject: U.S. TRADEMARK APPLICATION NO. 88282201 - ENBY - N/A
Sent: 4/11/2019 8:58:43 AM
Sent As: ECOM104@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)
[Attachment - 15](#)
[Attachment - 16](#)
[Attachment - 17](#)
[Attachment - 18](#)
[Attachment - 19](#)
[Attachment - 20](#)
[Attachment - 21](#)
[Attachment - 22](#)
[Attachment - 23](#)
[Attachment - 24](#)
[Attachment - 25](#)
[Attachment - 26](#)
[Attachment - 27](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 88282201

MARK: ENBY

88282201

CORRESPONDENT ADDRESS:

KRISTIN GRANT
GRANT ATTORNEYS AT LAW PLLC
211 EAST 43RD STREET, 7TH FLOOR
NEW YORK, NY 10017

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Boyajian Products LLC

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

Kgrant@grantipattorneys.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT **EASTERN TIME** OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: 4/11/2019

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SEARCH OF OFFICE'S DATABASE OF MARKS

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

SUMMARY OF ISSUES:

- Refusal- Descriptiveness

SECTION 2(e)(1) REFUSAL - MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes the intended user of applicant's goods. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

Determining the descriptiveness of a mark is done in relation to an applicant's goods and/or services, the context in which the mark is being used, and the possible significance the mark would have to the average purchaser because of the manner of its use or intended use. *See In re The Chamber of Commerce of the U.S.*, 675 F.3d 1297, 1300, 102 USPQ2d 1217, 1219 (Fed. Cir. 2012) (citing *In re Bayer Aktiengesellschaft*, 488 F.3d 960, 963-64, 82 USPQ2d 1828, 1831 (Fed. Cir. 2007)); TMEP §1209.01(b). Descriptiveness of a mark is not considered in the abstract. *In re Bayer Aktiengesellschaft*, 488 F.3d at 963-64, 82 USPQ2d at 1831.

Two major reasons for not protecting descriptive marks are (1) to prevent the owner of a descriptive mark from inhibiting competition in the marketplace and (2) to avoid the possibility of costly infringement suits brought by the trademark or service mark owner. *In re Abcor Dev. Corp.*, 588 F.2d 811, 813, 200 USPQ 215, 217 (C.C.P.A. 1978); TMEP §1209. Businesses and competitors should be free to use descriptive language when describing their own goods and/or services to the public in advertising and marketing materials. *See In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1527 (TTAB 2001).

A mark that describes an intended user or group of users of a product or service is merely descriptive. *E.g., In re Planalytics, Inc.*, 70 USPQ2d 1453 (TTAB 2004) (holding GASBUYER merely descriptive of intended user of risk management services in the field of pricing and purchasing natural gas); *In re Camel Mfg. Co.*, 222 USPQ 1031 (TTAB 1984) (holding MOUNTAIN CAMPER merely descriptive of intended users of retail and mail order services in the field of outdoor equipment and apparel); *see* TMEP §1209.03(i).

The term ENBY refers to a person who does not identify their gender specifically as either a male or a female. *See* attached Internet and dictionary evidence at:

<https://www.dictionary.com/e/gender-sexuality/enby/>

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like>

<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>

The applicant's goods are sex toys. When the mark is applied to the applicant's goods, the consumer is immediately informed that the sex toys are made specifically for use by people who are ENBY, or who do not identify their gender as either male or female. Thus, the mark describes the intended user of applicant's goods, and must be refused.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

Supplemental Register Information

Although an amendment to the Supplemental Register would normally be an appropriate response to this refusal, such a response is not appropriate in the present case. The instant application was filed under Trademark Act Section 1(b) and is not eligible for registration on the Supplemental Register until an acceptable amendment to allege use meeting the requirements of 37 C.F.R. §2.76 has been timely filed. 37 C.F.R. §2.47(d); TMEP §§816.02, 1102.03.

If applicant files an acceptable allegation of use and also amends to the Supplemental Register, the application effective filing date will be the date applicant met the minimum filing requirements under 37 C.F.R. §2.76(c) for an amendment to allege use. TMEP §§816.02, 1102.03; *see* 37 C.F.R. §2.75(b). In addition, the undersigned trademark examining attorney will conduct a new search of the USPTO records for conflicting marks based on the later application filing date. TMEP §§206.01, 1102.03.

RESPONSE GUIDELINES

To expedite prosecution of the application, applicant is encouraged to file its response to this Office action online via the Trademark Electronic Application System (TEAS), which is available at <http://www.uspto.gov/trademarks/teas/index.jsp>. If applicant has technical questions about the TEAS response to Office action form, applicant can review the electronic filing tips available online at http://www.uspto.gov/trademarks/teas/e_filing_tips.jsp and e-mail technical questions to TEAS@uspto.gov.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although the trademark examining attorney cannot provide legal advice or statements about applicant's rights, the trademark examining attorney can provide applicant with additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06. Although the USPTO does not accept emails as responses to Office actions, emails can be used for informal communications and will be included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. *See* 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

Shanoski, Joanna
/Joanna M Shanoski/
Examining Attorney- Law Office 104
E-mail: Joanna.Shanoski@uspto.gov
Phone: (571) 272-9707

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at

<http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

enby

[en-bee]



What does **enby** mean?

In the LGBTQ community, an *enby* is a nonbinary person. It's a phonetic pronunciation of *NB*, short for nonbinary, or people who do not identify their gender as male or female.

ORIGIN	EXAMPLES	USAGE
--------	----------	-------

RELATED WORDS

queer



nonbinary gender
genderflux
gender-fluid
gender-neutral
pronouns
juxera
proxvir
demisexual

Examples of enby

<https://www.dictionary.com/e/gender-sexuality/enby/> 04/11/2019 08:49:47 AM

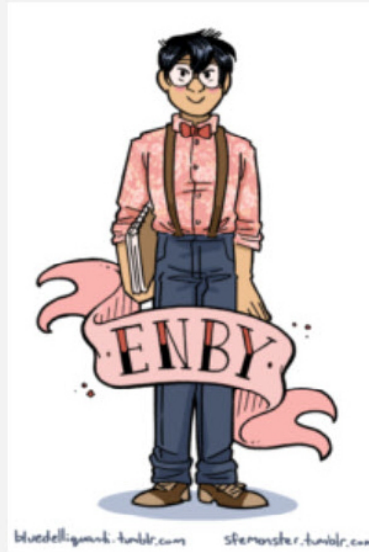


Where does enby come from?



Gender Wiki

While we can see examples of nonbinary genders in Southeast Asia (*hijra*) and Native American cultures (*two-spirit*), the term *nonbinary* came into the Western mainstream with greater visibility and inclusion of gender diversity in the 2000s.



PINTEREST

SEE NEXT WORD

demisexual
enby
 femboy
 femdom
 folx
 foot fetish

Enby itself emerges at least by 2013, when it was defined on *Urban Dictionary*

<https://www.dictionary.com/e/gender-sexuality/enby/> 04/11/2019 08:49:47 AM

Enby itself emerges at least by 2013, when it was defined on *Urban Dictionary* and attributed to Tumblr, the social media platform known for its active transgender and genderqueer community and lexicon. *Nonbinary* was shortened to *NB*, which, if its letters are phonetically pronounced and then spelled out, yields *enby*. The idea of *enby* is to give nonbinary people a short-hand equivalent to their binary counterparts, e.g., (a) *boy/male/man* and (a) *girl/female/woman*.



Mx. AC Dumlaio | Call Me They
@mxacdumlaio



Everyone: Happy International Women's Day!
Me, an enby:

742 11:04 AM - Mar 8, 2018

182 people are talking about this

Search interest in *enby* spiked in 2018, likely due to celebrities coming out or identifying as nonbinary individuals. For instance, in July 2018, actor Bex Taylor-Klaus of TV show *The Killing* fame tweeted she was *enby*.



Herr Professor Doctor Doctor Bex Taylor-Klaus 🌈🐦
@IBexWeBex

I came out as trans non-binary in a room full of people today.
Guess it's time for me to do that on here, too ...

Hi. I'm Bex, and the rumors are true. I'm v enby.

17.3K 10:06 PM - Jul 28, 2018

3,324 people are talking about this

Gender identities are often represented by a flag—sometimes with several variants than one. This is perhaps the most recognized *enby* flag:

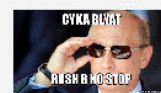
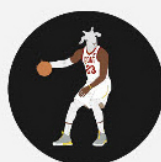


<https://www.dictionary.com/e/gender-sexuality/enby/> 04/11/2019 08:49:47 AM



GENDER WIKI

POPULAR NOW



OG

G.O.A.T.

yeet

cyka blyat

thot

morning skinny



<https://www.dictionary.com/e/gender-sexuality/enby/> 04/11/2019 08:49:47 AM

Who uses enby?

Enby can be a noun, e.g., "They're an *enby*," or modifier, "They're an *enby* person." The term is primarily used by people who self-identify as *enby*, or in discussions of the LGBTQ community generally, especially on topics of more inclusive language in the popular and public lexicon. (E.g., not defaulting to terms like *boys* and *girls* in school.)



More than being a much-deserved shorthand for the longer *nonbinary* or *nonbinary person*, the term *enby* also has a more conversational and lexical naturalness to it, while the abbreviation *NB* can stand out.



OUR QUEER STORIES

Less interestingly, *enby* is also a very common typo for *envy*, given that the *V* and *B* key are right next to each other on the QWERTY keyboard.

← PREVIOUS WORD: demisexual NEXT WORD: femboy →

JUST ADDED: complexifier — gendervoid — genderfuck — Mondaze — demotional

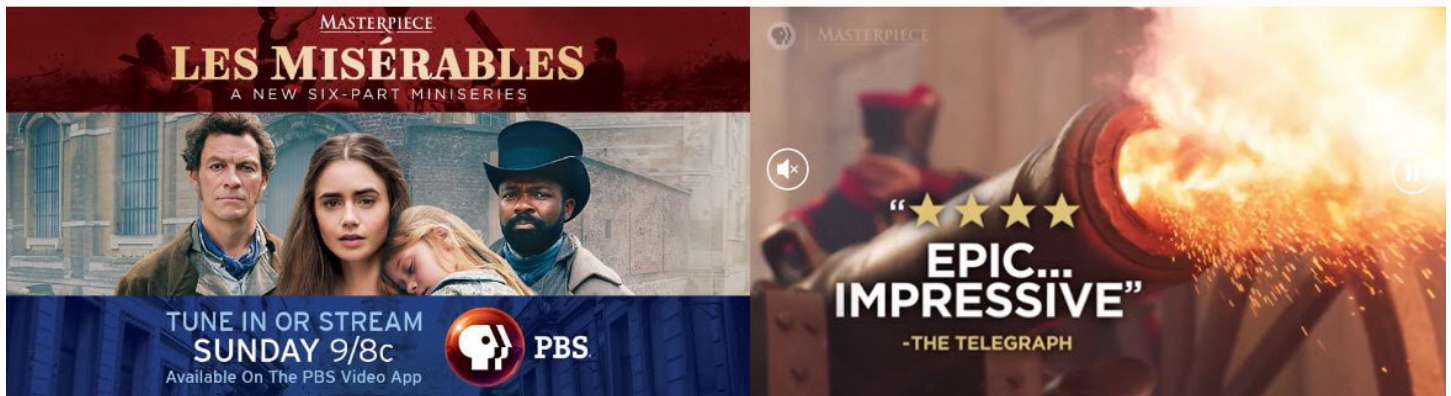
Start your day with weird words, fun quizzes, and language stories.

SUBMIT

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

them.

Sign Up



CULTURE

This Is What Gender-Nonbinary People Look Like

"While the words we use to describe ourselves have changed over time, we have always been here."



BY MEREDITH TALUSAN

November 20, 2017





Abdoal Corlette

It was raining hard when I walked into a building in the Chelsea district of Manhattan, and my coat — a women's coat, though I specifically chose one that didn't feel so womanly — was soaked when I peeled it off. As I took that layer off, there was another women's yet not particularly womanly sweater underneath. I took the elevator to the GLAAD offices where a photo studio was set up for one of their Trans Awareness Week initiatives, the #BeyondtheBinary campaign.

The #BeyondtheBinary campaign was created to make the public more aware of people like me — people who don't believe in the idea that there are only two genders. I asked myself if my nondescript grey sweater could adequately represent my life as a nonbinary person and decided it couldn't, so I removed yet another layer to reveal a colorblocked top underneath. I found this top in the women's section of a store, but knew it was something that a man could wear and get away with. This is a big part of what it's like to be a nonbinary person: to dig through layers as I negotiate how I present myself to the world so that the world can perceive me the way I perceive myself, even when I'm often forced to use imperfect instruments of clothing that presume only two genders. I hope that these

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

words by and photographs of nonbinary people can keep nudging this world into fully recognizing our existence.

Jacob Tobia, Author & Producer | *they/them*



Abdool Corlette

What does being nonbinary mean to you?

It means letting myself explore the fullness of my creativity. It means transcending the boundaries that have been placed around my body. It means living my life with integrity, courage, and clarity.

What is something you would like people to know about nonbinary folks?

I'd like people to know that, while the term "nonbinary" sounds very technical, it's not actually all that complicated. I'd like people to know that they don't have to tiptoe around someone who is nonbinary. Just because someone is nonbinary doesn't mean that you have to worry about saying the wrong thing or insulting them — just treat nonbinary people as you'd like to be treated. Treat us with respect, be kind, ask questions when you don't understand, and be prepared to actually listen, to hear us, when we respond. That's it

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

it.

ALOK, Artist | *they/them*

Abdool Corlette

What does being nonbinary mean to you?

I contain multitudes.

What is something you would like people to know about nonbinary folks?

While the words we use to describe ourselves have changed over time, we have always been here.

Jeffrey Marsh, Activist & Author | *they/them*

Abdool Corlette

What does being nonbinary mean to you?

It means freedom. The language we use around nonbinary identity is so important. I never want to find myself describing "I choose to be nonbinary because..." the reason for this is because being nonbinary is not a choice, it is a deeply ingrained personal identity. I enjoy

What is something you would like people to know about nonbinary folks?

While the words we use to describe ourselves have changed over time, we have always been here.

Jeffrey Marsh, Activist & Author | *they/them*

Abdool Corlette

What does being nonbinary mean to you?

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

It means freedom. The language we use around nonbinary identity is so important. I never want to find myself describing "I choose to be nonbinary because..." the reason for this is because being nonbinary is not a choice, it is a deeply ingrained personal identity. I enjoy being open about who I am because it means I have no lies to manage and I have no fears to feed when talking about what I wear or how I relate to the world.

What is something you would like people to know about nonbinary folks?

I want everyone to know that we are, indeed, folks. We are humans and although it may seem uncommon to be nonbinary, the experience of feeling boxed in by gender is very common. You can relate to your nonbinary friend or coworker because you were told the same lies about gender. Do men always take out the trash? Are women really bad at math? Of course not. And nonbinary folks feel the same way you do. We feel the same sting of being misunderstood and shamed for not exhibiting the 'correct' behavior for our perceived gender.

ADVERTISEMENT

Meredith Talusan, Writer & Editor | *she/they*

Abdool Corlette

What does being nonbinary mean to you?

Being nonbinary means believing that gender is infinitely possible.

What is something you would like people to know about nonbinary folks?

We don't need to look or act or be a certain way to be nonbinary. For me, being nonbinary means breaking down what it means to be a gendered person in the world.

Devin Madell, Advocate, Writer, & Model for *She/They*

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

Devin-Norelle, Advocate, Writer, & Model | *ze/zim/zis*

Abdool Corlette

Abdool Corlette

What does being nonbinary mean to you?

Being nonbinary means believing that gender is infinitely possible.

What is something you would like people to know about nonbinary folks?

We don't need to look or act or be a certain way to be nonbinary. For me, being nonbinary means breaking down what it means to be a gendered person in the world.

Devin-Norelle, Advocate, Writer, & Model | *ze/zim/zis*

Abdool Corlette

What does being nonbinary mean to you?

Nonbinary is a realm in which countless gender alternatives transcending the gender binary live. It's about exploring how the genders man and woman can co-exist as one; it is also about exploring your genders (or nongenders) beyond those two options. Overall, it's a journey of feeling yourself out and self determination.

What is something you would like people to know about nonbinary folks?

Many people believe that nonbinary is a new idea and that nonbinary folks are a fad. Nonbinary people are not a fad, a gimmick or a new concept. We have existed across various cultures for several centuries. Our identities were suppressed by imperialism and as a result, nonbinary people seem to be a recent phenomena to mainstream society, but we've existed almost as long as civilization. Furthermore, it is commonly assumed that nonbinary people don't desire to medically transition. While this is true for many people, many of us do take steps to medically transition, including myself. My transition does not make me feel any more of a man, or any less of a woman. I continue to feel strongly as both some days, and as neither on other days.

Winter Mendelson, Founder & Editor-in-Chief of Posture Magazine | *they/them*

Abdool Corlette

Many people believe that nonbinary is a new idea and that nonbinary folks are a fad. Nonbinary people are not a fad, a gimmick or a new concept. We have existed across various cultures for several centuries. Our identities were suppressed by imperialism and as a result, nonbinary people seem to be a recent phenomena to mainstream society, but we've existed almost as long as civilization. Furthermore, it is commonly assumed that nonbinary people don't desire to medically transition. While this is true for many people, many of us do take steps to medically transition, including myself. My transition does not make me feel any more of a man, or any less of a woman. I continue to feel strongly as both some days, and as neither on other days.

Winter Mendelson, Founder & Editor-in-Chief of Posture Magazine | *they/them*

Abdool Corlette

What does being nonbinary mean to you?

It means that I do not identify with the traditionally understood gender binary, and reject such systems that lead to harmful stereotypes and oppression.

What is something you would like people to know about nonbinary folks?

That it's not something to be afraid of, that stepping outside of what you have been taught and opening your mind to other possibilities and ways of being is liberating. There is no one way to be nonbinary, and I get to decide what that means for myself. It's a never ending, complicated, hard, frustrating, and personal journey.

Ian Fields Stewart, Storyteller | *they/them*

Abdool Corlette

What does being nonbinary mean to you?

Many people might say that nonbinary is like the grey area of gender — undefined space between more defined areas. However, because grey is a mixture of black and white it is inherently defined by the constructs of the colors it is comprised of. I think nonbinary is the whole crayon box. It is every paint on the easel. It is everything and nothing and a couple things. Nonbinary is limitless. My expression and my socialization falls on the femme side, but being nonbinary is not about what is perceived of me. Nonbinary is the liberation from the need to make myself smaller to fit into preconceived ideas of who and what I am. Nonbinary is the experience of myself without definition.

What is something you would like people to know about nonbinary folks?

Nonbinary folks are not a deterrent from the "trans conversation." We are an expansion of it. We do not need to play the oppression olympics in order to figure out which trans people are worthy. Instead, we should listen and develop safety nets for people of all trans experiences. Girls, Boys, and Folks like us matter. We are worthy. We are beautiful. We are desirable. We are here. We have always been here. And we're not going anywhere.

ADVERTISEMENT

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

Abdool Corlette

What does being nonbinary mean to you?

Many people might say that nonbinary is like the grey area of gender — undefined space between more defined areas. However, because grey is a mixture of black and white it is inherently defined by the constructs of the colors it is comprised of. I think nonbinary is the whole crayon box. It is every paint on the easel. It is everything and nothing and a couple things. Nonbinary is limitless. My expression and my socialization falls on the femme side, but being nonbinary is not about what is perceived of me. Nonbinary is the liberation from the need to make myself smaller to fit into preconceived ideas of who and what I am. Nonbinary is the experience of myself without definition.

What is something you would like people to know about nonbinary folks?

Nonbinary folks are not a deterrent from the "trans conversation." We are an expansion of it. We do not need to play the oppression olympics in order to figure out which trans people are worthy. Instead, we should listen and develop safety nets for people of all trans experiences. Girls, Boys, and Folks like us matter. We are worthy. We are beautiful. We are desirable. We are here. We have always been here. And we're not going anywhere.

ADVERTISEMENT

Rowan Hepps Keenev. Performer. Educator. & Student Activist | *thev/them*

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

Rowan Hepps Keeney, Performer, Educator, & Student Activist | *they/them*

Abdool Corlette

What does being nonbinary mean to you?

Being non-binary means embracing liminality. Unapologetically existing in the in-between. Being comfortable with discomfort and seeing the incompleteness as whole.

What is something you would like people to know about nonbinary folks?

Never try to categorize or define what being nonbinary means or looks like for an individual — especially if those concepts are clouded by racism, fatphobia, ableism, classism, misogyny, or any other form of oppression. A person's name, pronouns, and presentation does not define their gender. Rather, these are tools that some of us may or may not use to help communicate or validate our identities externally, but they can never fully encapsulate the matrices of colors and light that are refracted within us. Always ask rather than assume; never label when you can dismantle.

Abdool Corlette

What does being nonbinary mean to you?

Being non-binary means embracing liminality. Unapologetically existing in the in-between. Being comfortable with discomfort and seeing the incompleteness as whole.


What is something you would like people to know about nonbinary folks?

Never try to categorize or define what being nonbinary means or looks like for an individual — especially if those concepts are clouded by racism, fatphobia, ableism, classism, misogyny, or any other form of oppression. A person's name, pronouns, and presentation does not define their gender. Rather, these are tools that some of us may or may not use to help communicate or validate our identities externally, but they can never fully encapsulate the matrices of colors and light that are refracted within us. Always ask rather than assume; never label when you can dismantle.

Meredith Talusan is Senior Editor for *them.* and an award-winning journalist and author. They have written features, essays, and opinion pieces for many publications, including The Guardian, The Atlantic, VICE, Matter, Backchannel, The Nation, Mic, BuzzFeed

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

News, and The American Prospect. *She received 2017 GLAAD Media and Deadline Awards, and has contributed to several books, including Nasty Women: Feminism, Resistance, and Revolution in Trump's America.*



them.

**Get the best of what's
queer, curated weekly**

Email address

GO

Will be used in accordance with our [Privacy Policy](#)

TAGS EVERGREEN NONBINARY GLAAD

Read More

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

How Vaginal Davis Remade the DIY Art World in Her Image

BY ELYSSA GOODMAN

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

Queer Media Training: GLAAD Is Teaching Young Queer People How To Give Effective Interviews

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

BY GLAAD AND THEM.

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

Gay Superheroes and Drag Queens With Superpowers: Comics Are Queerer Than Ever

BY MATT RAIME

<https://www.them.us/story/this-is-what-gender-nonbinary-people-look-like> 04/11/2019 08:51:10 AM

How Queer Memoirist T Kira Madden Tackles Trauma with Lyricism

BY ELYSSA GOODMAN

them.

them, a next-generation community platform, chronicles and celebrates the stories, people and voices that are emerging and inspiring all of us, ranging in topics from pop culture and style to politics and news, all through the lens of today's LGBTQ community.

[Our Story](#)

[About them](#)



[RSS Feeds](#) | [Site Map](#) | [Condé Nast Store](#)

© 2019 Condé Nast. All rights reserved. Use of this site constitutes acceptance of our [User Agreement](#) (updated 5/25/18) and [Privacy Policy and Cookie Statement](#) (updated 5/25/18). [Privacy Rights](#), them. may earn a portion of sales from products that are purchased through our site as part of our Affiliate Partnerships with retailers. The material on this site may not be distributed, transmitted, cached or otherwise used, except with the prior written permission of Condé Nast. [Ad Choices](#)

CN Living

<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>
04/11/2019 08:54:41 AM

≡ MENU

verywellmind



Advertisement

Try DAILIES TOTAL1®
Multifocal Contact Lenses

Ask your eye care professional for complete wear, care, and safety information.



LEARN MORE

Alcon A Novartis Division

© 2018 Novartis 6/18 US-DIM-18-E-0925

Advertisement

RELATIONSHIPS > LGBTQ

What Does It Mean to Be Non-Binary or Have Non-Binary Gender?

By [Elizabeth Boskey, PhD](#) Medically reviewed by [a board-certified physician](#)

Updated August 03, 2018

f Share

✉ Email

PRINT

Article Table of Contents

[What Is Gender Identity?](#)

[Discussing Sexual Orientation](#)

[What Is the Gender Binary?](#)

[Gender and Pronouns](#)

[Types of Non-Binary Gender](#)



Jim Craigmyle / Getty Images

A person is non-binary if their gender identity is something other than male or female. Non-binary individuals may identify as gender fluid, agender (without gender), off the binary, or something else entirely.

Sometimes non-binary people are included in the broad category of transgender people. This represents an evolution as, historically, being transgender was often conceptualized as requiring a movement between binary genders. The notion that transgender people have to be

moving towards male or female genders has been both particularly strong and particularly problematic in the medical community.

What Is Gender Identity?

Advertisement

Try
DAILIES TOTAL1®
Multifocal
Contact Lenses

<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>
04/11/2019 08:54:41 AM

A person's gender identity is their internal sense of themselves as male, female, or another gender. [Cisgender](#) people are those whose gender identity is the same as the sex they were assigned at birth. Transgender people are those whose gender identity is different from their assigned sex at birth.

Gender identity is different from gender role or gender expression. Gender identity refers to how people understand themselves. Gender expression is how they portray themselves. Gender role is the collection of behaviors and activities that society expects to be associated with a particular gender, in this place and time. The notion that men and women are fundamentally different and should behave in very specific ways is sometimes referred to as [gender essentialism](#).

Gender is also different from sex and sexual orientation. Sex refers to a person's biology—[chromosomal](#), hormonal, and anatomical. Sexual orientation refers to a person's romantic and sexual interest in other people. People of any sex can have any gender identity and sexual orientation. The concepts are independent.

What Is the Gender Binary?

The gender binary is the problematic notion that there are only two genders, and all individuals are either male or female. Some might argue that there are only two sexes, so there should only be two genders, but that argument is flawed.

Although we categorize most infants into male or female, there is more diversity than that in terms of both sex and gender. The biology of sex is complex. Most people are XX or XY, but some people are XXY or XO.

In addition, your chromosomes don't fully determine your sexual anatomy. Some people are XY women. Other people have bodies that fall between male and female, chromosomally, anatomically, or hormonally.

Therefore, given the wide variety of sexual biology, it should not be surprising that there can also be a wide range of gender identity. Cultures around the world have recognized genders other than male and female throughout history. It's just that now we are developing an English language vocabulary to describe the spectrum of gender identity we see.

Types of Non-Binary Gender

Non-binary is both a gender identity and a catch-all term to describe gender identities other than strictly male or female. While there are many types of non-binary gender, some are more commonly discussed than others. These include:

- **Agender:** Someone who identifies as without gender, or to whom gender does not feel like a salient concept. This is also sometimes referred to as being gender-free, nongender,



Advertisement



Advertisement

<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>
04/11/2019 08:54:41 AM

like a binary concept. This is also sometimes referred to as being gender ace, nonbinary, or neutrois.

Advertisement

- **Bigender:** Someone who has two genders.
- **Genderfluid:** Someone whose gender moves around, either along the female-male binary or outside of it.
- **Genderqueer:** Another catch-all term for individuals with non-binary gender.
- **Non-binary:** Someone whose gender identity is neither male or female, also referred to as NB or enby.

spectrum.' This may also be referred to as third-gender

Discussing Sexual Orientation

Have you ever noticed that discussing your sexual orientation means disclosing your gender identity? Sexual orientation words are generally used to draw a comparison between someone's gender identity and the gender of the people they're attracted to.

For example, if you are someone attracted to men who identifies as heterosexual, your gender is almost certainly female. However, when a person's gender is complex, or you don't want to disclose your gender identity, there are other words for talking about sexual orientation that focus on the people someone finds attractive while keeping their own gender out of the discussion.

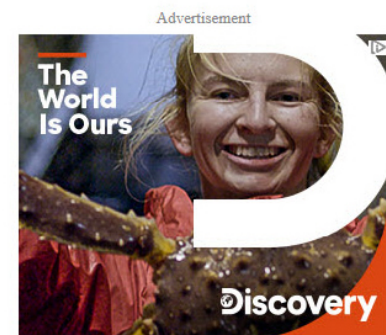
This can be particularly a concern for people who are non-binary or gender fluid and trying to talk about the people they're attracted to. To get around the limitations of words such as heterosexual, homosexual, and bisexual, some people describe their sexual orientation as gynosexual, androsexual, or both.

A person who is gynosexual is sexually attracted to women. (*Gyno* is a prefix, derived from the Greek, used to describe things related to *women*.) A person who is androsexual is attracted to men. (*Andro* is the prefix used to describe things related to men.)

Gender and Pronouns

People who are non-binary may use gender-neutral pronouns. Although there are a variety of gender-neutral pronouns, the most commonly used one is the singular they. For people who use gender-neutral pronouns, instead of referring to a non-person as he or she, they are referred to as they.

It can be difficult for some people to get used to using the singular they, but it gets easier with practice. If you think about it, many people use the singular "they" whenever they're referring to an abstract person or someone whose gender they don't know. (The singular they is used twice in the previous sentence, and most people probably didn't notice.)



<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>
04/11/2019 08:54:41 AM

(twice in the previous sentence, and most people probably didn't notice.)

Advertisement

It's not that much harder to use the singular they to refer to people whose gender identity is not well described by male or female. It is, however, far more polite than misgendering them because it's easier than respecting their identity.

Was this page helpful?



Article Sources

Marathon 78-Year-old's Secret

78 years old shares secret to keeping his feet pain-free during marathon with new socks.

socksoothers.com

Advertisement

Advertisement

ARTICLE

Genderqueer, Non Binary, Gender Fluid—What Does It All Mean?

ARTICLE

4 Things to Understand About People Living With Intersex Condition

ARTICLE

What Sexual Minority Means

ARTICLE

Understanding the Stigma Faced by Transgender Women

ARTICLE

Courtship Scripts and What They Mean for Dating

ARTICLE

Why Men Having Sex on the Down Low Is a Sexual Hazard

<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>
04/11/2019 08:54:41 AM

by transgender women

ARTICLE
Do You Have FOMO? Here Is How to Cope

mean for dating

ARTICLE
Why Should You Have Sex More Often?

Down Low Is a Sexual Hazard

Advertisement

Advertisement

ARTICLE
Having Children When Transgender

ARTICLE
Ho You Can Find Out If Your Spouse Cheating Online

ARTICLE
What Married People Should Know About Masturbation

ARTICLE
Does Sex Reassignment Surgery Increase a Person's Happiness?

LIST
10 Ways to Have Fewer Regrets by the End of the Week

ARTICLE
When Alcohol, Drugs or Medications Impair Your Sexual Performance

<https://www.verywellmind.com/what-does-it-mean-to-be-non-binary-or-have-non-binary-gender-4172702>
04/11/2019 08:54:41 AM

ARTICLE
The Willingness Model of Sex Therapy

ARTICLE
10 Features Your Self-Improvement Plan Should Have

verywellmind

Daily Tips for a Healthy Mind to Your Inbox

SIGN UP

Follow Us

Disorders

Self-Improvement

Psychology

Editorial Policy

Privacy Policy

Cookie Policy

Terms of Use

About Us

Advertise

Careers

Contact

Visit our other Verywell sites:

[verywell health](#) | [verywell fit](#) | [verywell family](#)

© 2019 About, Inc. (Dotdash) — All rights reserved

This

This site complies with the [HONcode standard for trustworthy health information: **verify here**](#)



Verywell is part of the Dotdash publishing family:

[The Balance](#) | [Lifewire](#) | [Trip Savvy](#) | [The Spruce](#) and [more](#)

To: Boyajian Products LLC (Kgrant@grantipattorneys.com)
Subject: U.S. TRADEMARK APPLICATION NO. 88282201 - ENBY - N/A
Sent: 4/11/2019 8:58:48 AM
Sent As: ECOM104@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **4/11/2019** FOR U.S. APPLICATION SERIAL NO. 88282201

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **4/11/2019** (*or sooner if specified in the Office action*). A response transmitted through the Trademark Electronic Application System (TEAS) must be received before midnight **Eastern Time** of the last day of the response period. For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the TEAS response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

*** User:jdukovic ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	102	0	6	6	0:01	*enb{"iy"}*[bi,ti] not dead[ld]
02	185	N/A	0	0	0:02	("nb" "n b")[bi,ti] not dead[ld]
03	39	0	24	23	0:02	2 and "010"[cc]
04	0	0	0	0	0:02	*non*[bi,ti] not dead[ld] and *binary*[bi,ti] not dead[ld]
05	65	0	3	3	0:01	*binary*[bi,ti] not dead[ld]

Session started 4/11/2019 8:40:37 AM

Session finished 4/11/2019 8:43:51 AM

Total search duration 0 minutes 8 seconds

Session duration 3 minutes 14 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICS as Serial Number: 88282201

ENBY

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

Serial Number: 88282201

Filing Date: 01/30/2019

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	88282201
MARK INFORMATION	
*MARK	ENBY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	ENBY
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Boyajian Products LLC
DBA/AKA/TA/Formerly	DBA Wild Flower
*STREET	99 Wall Street, Suite 1420
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	10005
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	010
*IDENTIFICATION	Sex toys
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Kristin Grant
FIRM NAME	Grant Attorneys at Law PLLC
STREET	211 East 43rd Street, 7th Floor
CITY	New York

STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10017
PHONE	212-520-7881
EMAIL ADDRESS	Kgrant@grantipattorneys.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Kristin Grant
FIRM NAME	Grant Attorneys at Law PLLC
STREET	211 East 43rd Street, 7th Floor
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10017
PHONE	212-520-7881
*EMAIL ADDRESS	Kgrant@grantipattorneys.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	275
*TOTAL FEE DUE	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
SIGNATURE	/Nicholas Boyajian/
SIGNATORY'S NAME	Nicholas Boyajian
SIGNATORY'S POSITION	COO
SIGNATORY'S PHONE NUMBER	917-543-5715
DATE SIGNED	01/30/2019

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

Serial Number: 88282201

Filing Date: 01/30/2019

To the Commissioner for Trademarks:

MARK: ENBY (Standard Characters, see [mark](#))

The literal element of the mark consists of ENBY.

The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Boyajian Products LLC, DBA Wild Flower, a limited liability company legally organized under the laws of New York, having an address of

99 Wall Street, Suite 1420
New York, New York 10005
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 010: Sex toys

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

The applicant's current Attorney Information:

Kristin Grant of Grant Attorneys at Law PLLC 211 East 43rd Street, 7th Floor
New York, New York 10017
United States
212-520-7881(phone)
Kgrant@grantipattorneys.com (authorized)

The applicant's current Correspondence Information:

Kristin Grant
Grant Attorneys at Law PLLC
211 East 43rd Street, 7th Floor
New York, New York 10017
212-520-7881(phone)
Kgrant@grantipattorneys.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant, the applicant's attorney, or the applicant's domestic representative at the e-mail address provided in this application. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Reduced Fee status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

☒ **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;

- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Nicholas Boyajian/ Date: 01/30/2019

Signatory's Name: Nicholas Boyajian

Signatory's Position: COO

Payment Sale Number: 88282201

Payment Accounting Date: 01/30/2019

Serial Number: 88282201

Internet Transmission Date: Wed Jan 30 11:25:24 EST 2019

TEAS Stamp: USPTO/BAS-XXX.XX.X.XXX-20190130112524512

994-88282201-620b91c1ca1258970e58c535d22

bd5b247817f1c2a428a9861862dd6d102218f68-

CC-9087-20190129133559948229

ENBY